

STATE OF NEW YORK

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT

DOCUMENTS SERVED WITH INDEX#: 08CIV.3370

AND FILED ON

4/4/2008

EDMOND MALONE INDIVIDUALLY AND ON BEHALF OF ALL OTHER INDIVIDUALS
SIMILARLY SITUATED

Vs.

TRI STATE LLC, ET AL

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF: NEW YORK)

SS

COUNTY OF WESTCHESTER)

The undersigned deponent, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in the State of New York. On 4/17/2008 at 12:37PM, deponent did serve the within process as follows:

Process Served:

SUMMONS AND COMPLAINT, INSTRUCTIONS FOR FILING AN ELECTRONIC CASE**

Party Served:

GARON FENCE CO., D/B/A BEDFORD IRON WORKS

(herein called recipient)
therein named.

At Location:

323 RAILROAD AVENUE

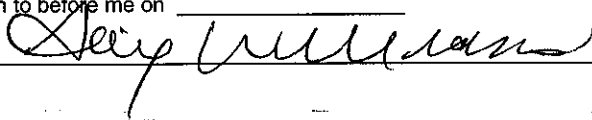
BEDFORD HILLS NY 10507

By delivering to and leaving with PHILLIP-THOMAS and that deponent knew the person so served to be the MANAGING AGENT of the corporation and authorized to accept service..

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex M Color of Skin WH Color of Hair GRAY
Age 58 Height 5'10"-6'
Weight 190 Other Features SEATED

**OR APPEAL, INDIVIDUAL PRACTICES OF WILLIAM C. CONNER; AND
INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE GEORGE A. YANTHIS

Sworn to before me on 4/17/2008


Gary Williams

Server's License#:

GAIL WILLIAMS
Notary Public, State of New York
No. 4066052
Qualified in Westchester County
Commission Expires September 30, 2010